

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

NATIONAL AMERICAN
INSURANCE COMPANY,

Plaintiff,

v.


HAZIMIHALLIS PAINTING CO., INC.,
EMANUEL HAZIMIHALLIS, and
MARIA HAZIMIHALLIS,

Defendants.

CIVIL ACTION FILE
NO. 1:04-CV-1687-WBH

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

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BY: LUTHER THOMAS, Clerk

Deputy Clerk

ORDER

Before the Court is Plaintiff's motion to compel the depositions of Emanuel and Maria Hazimihallis ("Defendants") [24] based on the fact that Defendants failed to appear for their depositions scheduled for August 30, 2005. Defendants filed responses to the motion [25, 26] in which they admit that they received notice of the depositions on August 27, 2005, and provide no justification for why they failed to appear. In its motion, Plaintiff requests that Defendants be ordered to appear for a deposition and that they be ordered to reimburse Plaintiff \$1,000.00 for fees and costs associated with the August 30, 2005 deposition and the motion to compel. The Court finds that this request is reasonable.

The motion to compel is GRANTED. Defendants are ORDERED to appear for deposition at a time and place of Plaintiff's convenience. Defendants are ORDERED to pay Plaintiff \$1,000.00 by November 30, 2005, as a sanction for their refusal to comply with the deposition notice. Additionally, the discovery period is extended through

December 19, 2005, and the time for filing dispositive motions is extend through January 9, 2006.

It is so ORDERED this 16 day of November, 2005.

A handwritten signature in black ink, appearing to read "Willis B. Hunt, Jr.", written over a horizontal line.

Willis B. Hunt, Jr.
Judge, United States District Court